

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Anantapur District – Revision Petition filed by Sri L.Nagendra Reddy, S/o Sri Rami Reddy, R/o Peddavaduguru, Anantapur District against the orders of Commissioner (Appeals), CCLA, Hyd in his Proceedgs No. BCW1/253/08, dt.20.1.2011 regarding land to an extent of Acs.14.61 cts in Sy.No. 127-3A, 127-3B, 127-2, 195-3, 195-4 & 195-5 of Kappalabanda (V) of Puttaparthi (M), Anantapur District under B.S.O.Para 15 (18) - Dismissed – Orders – Issued.

REVENUE(Asn.V)DEPARTMENT

G.O.Ms.No. 701

Dated.29.06.2011

Read the following:

1. R.P.filed by Sri L.Nagendra Reddy, S/o Sri Rami Reddy, R/o Peddavaduguru, Anantapur Dist, dt.9.2.2011.
2. from the Collector, Anantapur Dist, Rc.No. E2/3522/2011, dt.11.5.2011.

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ORDER:

In the reference first read above, Sri L.Nagendra Reddy, S/o Sri Rami Reddy, R/o Peddavaduguru, Anantapur District has filed a Revision Petition before Government against the orders of Commissioner (Appeals), CCLA, Hyderabad in his Proceedgs No. BCW1/253/08, dt.20.1.2011 regarding land to an extent of Acs.14.61 cts in Sy.No. 127-3A, 127-3B, 127-2, 195-3, 195-4 & 195-5 of Kappalabanda (V) of Puttaparthi (M), Anantapur District under B.S.O.Para 15 (18)

2. Sri L.Nagendra Reddy, S/o Sri Rami Reddy, R/o Peddavaduguru, Anantapur District are herein after called as the petitioner has submitted the Revision Petition through his Counsel stating that, land to an extent of Acs.14.61 cts in Sy.No. 127-3A, 127-3B, 127-2, 195-3, 195-4 & 195-5 of Kappalabanda (V) of Puttaparthi (M) was assigned to L.Laxmiddevamma W/o Sri late L. Sree Rami Reddy, Political sufferer vide DAR Dis 03/1413, dt.28.11.2003.

3. On the appeal filed by Kothapalli Narayanappa and 5 others the RDO has cancelled the assignment on the violation of patta conditions.

4. Smt L.Lakshmiddevamma and 2 others have filed an appeal before Joint Collector, Anantapur against the orders of RDO. The Jt Collector, Anantapur has dismissed the appeal stating that it is not fair to interfere with the orders of RDO, Penukonda.

5. Aggrieved by the orders of the Jt Collector, Anantapur Sri B.Rama Krishna and 2 others have filed appeal before the Commissioner of Appeals, O/o CCLA, Hyderabad against the

(P.T.O.)

orders of Jt Collector, Anantapur and the Commissioner has dismissed the appeal stating that there is no valid reasons to interfere with the orders passed by the lower courts vide his procd No. BCW1/253/08, dt.20.1.2011.

6. Aggrieved by the above orders, the petitioners have filed the Revision Petition before the Government on the following grounds:

1. The orders passed by the Commr of Appeals is illegal and it is liable to be revised.
2. The prohibition from alienation of the land assigned to political sufferers is not in receipt of agricultural land. If political sufferer assigned a house site the said house site can be sold after period of 10 years as is evident from G.O.MS.NO. 472, dt.22.5.1993. The same is clear from para 3(3) of G.O.Ms.No.185, dt.11.3.1997.
3. All the officers i.e. RDO, Jt Collector, and Commr of Appeals looked into the issue erroneously .

Brief facts of the case are as follows:

7. Land to an extent of Acs.14.61 cts in Sy.No. 127-3A, 127-3B, 127-2, 195-3, 195-4 & 195-5 of Kappalabanda (V) of Puttaparthi (M) were originally assigned to the following individuals as detailed below:

Sy.No.	Extent	Name of the assignee	DAR Dis No.
127-2	1.65	Sri Chintakayala	420/1366, dt.19.2.58
127-3	6.61	Rangappa, S/o Nagappa	
195-3	1.85	Garikapati Maruthi	
195-4	2.43	Boya Chintakayala Narasimhappa	420/1366, dt.19.12.58
195-5	2.07	Boya Chitakayala Sanjeevappa	420/1366, dt.19.12.58
Total	14.61		

8. As the original assignees had violated the conditions of the grant the lands in question were resumed to Govt and the same were re-assigned to the following individuals as noted against each.

Sy.No.	Extent	Name of the assignee	DAR Dis No.
127-3A	3.31	Garikapati Lakshmi Prasad,S/o Chinna Ramanna	DAR Dis112/1403, dt.20.3.1994
127-3B	3.30	Smt Pedda Venkatappagari Alivelamma, W/o Babu Chowdary	

195-3	1.85	B.Ramanjaneyulu, S/o Harikatha Gangadhar	194/1393, dt.28.3.89
195-4	1.20	Harikatha Bhaskar, S/o Harikatha Gangadhar	194/1393, dt.28.3.89
195-5	1.23	Karikatha Maruthi S/oHarikatha Gangadhar	194/1393, dt.28.3.89
	1.00	Guduru Venkataramanappa, S/o Venkataramanappa	194/1393, dt.28.3.89
	1.07	Jakkampudi Narayana Swamy, S/o Venkataramanappa	

9. The above re-assignment lands were subsequently resumed to the Govt for violation of conditions of D-form patta in Mandal Revenue Officer's Rc.No.397/03, dt.3.10.2003 and again assignment was made in favour of Smt L.Lakshmiddevamma, W/o Late Sreerama Reddy of DAR Dis No. 3/1413, dt.28.11.2003, considering the assignee as political sufferer.

Sy.No.	Extent (in acres)
127-3A	3.31
127-3B	3.30
127-2	1.65
195-3	1.85
195-4	2.43
195-5	2.07
TOTAL	14.61

10. Aggrieved by the orders of the Tahsildar, Puttaparthi one Sri Kothapalli Narayanappa S/o Obaiah of Buggapalli (V), Puttaparthi (M) and (5) five others had filed an appeal before the RDO, Penukonda on the reason that the land in question had not been brought into cultivation by Smt L.Lakshmiddevamma continuously for a period of (3) years and that by laying road, house plots and raising coconut trees either sides of the road she violated the patta condition. Stay was granted by the RDO.

11. After hearing the case and verifying the report of the MRO, Puttaparthi the RDO, Penukonda has observed that the RDO, Penukonda in his order has discussed that, the land was assigned in favour of Smt L.Lakshmiddevamma in the year 2003 in freedom fighter quota and that within a span of 3 years i.e. in the year 2005 she had executed sale deed for Rs.5,40,000/- in favour of two people i.e Sri G.Asvarthnarayana Reddy and Sri B. Ramakrishna on the land in question which has been kept as pending registration document No. 20/2005 by the Sub-Registrar, Bukkapatnam which can be considered as clear violation of Govt orders.

12. As per para 3(3) of G.O.MS.No.185, Rev(AsnI)Dept, dt.11.3.1997 which was in force at the time of assignment of the land in question in favour of Smt L.Lakshmiddevamma, the freedom fighters are not entitled to alienate the lands. But as per G.O.Ms.No. 1045, Rev(AsnI)Dept, dt. 15.12.2004 wherein amendment to the para 3(3) of the G.O.Ms.No. 185, Rev(AsnI)Dept, dt. 11.3.1997 has been issued and the freedom fighters are free to sell away their assigned lands and house sites after a period of 10 years.

13. Therefore, the assignment made to Smt L. Lakshmiddevamma by the MRO, Puttaparthi vide DAR Dis.3/1413, dt.28.11.2003 was canceled by RDO, Penukonda .

14. Aggrieved by the orders of the RDO, Penukonda, Smt L.Lakshmiddevamma and 2 others of Puttaparthi and Bukkapatnam have filed an appeal before the Jt Collector, Anantapur against the orders of RDO, Penukonda.

15. The Jt. Collector, Anantapur vide his proced No. E2/8637/2007, dt.18.2.2008 has ordered that it is not fair to interfere with the orders passed by the RDO, Penukonda in canceling the assignment made in favour of L.Lakshmiddevamma w/o L.Sreerami Reddy for the lands in Sy.N. 127-3A, 127-3B, 127-2, 195- 3, 195-5 to an extent of Acs.14.61 cts of Kappalabanda (V) of Puttaparthi (M) under political sufferer quota and dismissed the appeal.

16. Aggrieved by the orders of the Jt Collector, Anantapur Sri B.Rama Krishna and 2 others have filed appeal before the CCLA, Hyderabad against the orders of Jt Collector, Anantapur and the Commissioner has dismissed the appeal stating that there is no valid reasons to interfere with the orders passed by the lower courts vide his proced No. BCW1/253/08, dt.20.1.2011.

17. In the reference second read above, the District Collector, Anantapur has furnished detail report, parawise remarks along with connected records.

18. The case was called for hearing on 12.05.2011 .

The Tahsildar, Puttaparthi present and the petitioner and his Advocate are also present.

19. After perusal of the original records, and hearing the arguments, the Government have observed that, the land to an extent of Acs.14.61 cts was assigned to Smt L.Lakshmiddevamma W/o Late Sri L.Sreerami Reddy Political Sufferer and the land in question has not been brought into cultivation and violated the patta conditions.

20. The land was assigned in favour of Smt L.Lakshmiddevamma in the year 2003 and that within a span

of 3 years i.e. in the year 2005, she had executed sale deed for Rs.5,40,000/- in favour of two people i.e Sri G.Aswarathnarayana Reddy and Sri B. Ramakrishna on the land in question which has been kept as pending registration document No. 20/2005 by the Sub-Registrar, Bukkapatnam which can be considered as clear violation of Govt orders.

21. In view of the above, there is no reasons to interfere with the orders passed by the RDO, Penukonda in canceling the assignment orders made in favour of Smt L.Lakshmidhevamma W/o Sri L.Sreerami Reddy on the land measuring an extent of Acs.14.61 cts in Sy.No. 127-3A,127-3B,127-2,195-3, 195-4 and 195-5 of Kappalabanda (V), Puttaparthi (M) and upholding the orders passed by the Jt Collector, Anantapur and Commissioner of Appeals and accordingly Revision Petition is dismissed .

22. The following original records of Jt Collector, Anantapur are hereby returned.

1. R.D.O. Office records bearing D.Dis 1165/80, dt. 3.4.1981 pages nf-4 c.f. 36
2. Dist Collector, record bearing No.R.Dis No. 5898/91/A2, dt. 28.4.89 containing pages D.S.NO. 1-6, NF 1-10 and C1-172 .

23. The Collector, Anantapur District shall take necessary action accordingly.

(BY ORDERS AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
Sri L.Nagender Reddy, S/o Sri Rami Reddy LR of Late Lakshmidhevamma R/o Peddavaduguru (M), Anantapur District through Tahsildar, Peddavaduguru (M)
The Collector, Anantapur District (with original records)
The Tahasildar, Puttapathy Mandal, Anantapur District.
Copy to:
M.Surender Rao, Sridhar Chikyala, C-3, Swathi Shikara Apartments, Plot No.23, HUDA Complex, Saroornagar, Kothapeta, Hyderabad-500035.

//FORWARDED::BY ORDER//

SECTION OFFICER